

17.

F1835. M244



BANCROFT
LIBRARY



THE LIBRARY
OF
THE UNIVERSITY
OF CALIFORNIA

E. Macchiarini, Junr., presb.

AN APPEAL
TO THE
AMERICAN CONGRESS.

THE BIBLE LAW OF MARRIAGE
AGAINST MORMONISM.

1867-1871

1871-1872

AN APPEAL

TO THE

AMERICAN CONGRESS.

THE BIBLE LAW OF MARRIAGE AGAINST MORMONISM.

THE life of our Government is free discussion. This fundamental truth of popular liberty emboldens me to address the Honorable Gentlemen of the Senate and House of Representatives in Congress assembled, and ask their indulgence while offering some suggestions on a subject of great importance to our common country.

The Mormon Question has become one of intense national interest; on its solution depends the honor or the disgrace of our Government. If what is now understood by Mormonism, namely, the system of a plurality of wives, be permitted in the Territory of Utah, and allowed a legal establishment under the specious pretence of religious liberty, then polygamy will be virtually allowed in every State of the Union. The citizens of Utah, as soon as that Territory becomes a State, will be

m/f

2/11/85

:

F835

M244

entitled to the rights of citizenship in every other State, and thus the way will be opened and prepared for this system of licentiousness to gather strength and reach its victims, even here, in this, our holy city, bearing the name of Washington, and boasting the guardianship of the Congress of the United States.

In a book, recently published, I have touched upon the utter repugnance of Mormonism to our free institutions. When the question comes before you, the Honorable Members who take the side of monogamy will have no difficulty in proving that polygamy is incompatible with civil liberty.

There is no example to be found in History of a Republican Government permitting polygamy. Not one. Surely, in the Nineteenth Century, that boasts of its moral and political wisdom, and in this "Great Republic," that leads the world in educational material and moral improvement, an institution, which would make us the shame of civilization and our Government the reproach of Freedom, will not be tolerated!

It has been urged that there are difficulties in the way; or, rather, what seem to be obstacles to the direct action of Congress. Two arguments are raised — not in defence of polygamy — none save a Mormon would do that — but arguments to show that it is impossible, under the Constitution, or impolitic on account of State sovereignty over do-

mestic institutions, to deal directly with this enemy of freedom, truth, and justice.

So there is recommended a resort to the "Circumlocution Office" tactics. Mormonism is not to be put down because of its own unlawfulness and its offence against humanity — far worse than piracy — but Congress is to wait till Brigham Young does some overt act that disturbs or resists the authority of the Federal Government in the Territory of Utah. This is giving up the question of polygamy as beyond the power of the Central Government.

Allow me, with all deference to the wisdom of Congress, to suggest a few reasons which go to prove that this matter is, legitimately, within the jurisdiction of the General Government.

Monogamy — one man with one woman — as the true marriage union, is founded in the nature of the human species. The equal ratio of increase of the sexes proves that no other system of marriage can be just to the man, any more than to the woman. Natural right and equal justice are the basis of improvement and happiness for our race; nor would any true philosopher or wise legislator uphold the system of a plurality of wives, even though he should discard the Divine authority of the Bible as the primal and eternal law of marriage for mankind.

But, granting all this, which I am sure you will, there is yet another question: — Does the Constitu-

tion of the United States authorize or permit the interference of Congress to prevent polygamy?

It does — because it guarantees “a *Republican form of Government to every State.*” Polygamy destroys the fundamental principle of Democratic liberty, by annihilating the right of the wife to her husband equally with the right of the husband to his wife. The free women citizens of the United States are thus disfranchised of the most important right, natural and political, that they hold. Therefore the State that admits polygamy is not Republican. Therefore, in every Territory polygamy should be made an offence, amenable to the laws of the United States, as piracy is.

No sane man can deny that monogamy is the true basis of all Democratic institutions. The right of the child to freedom rests on the condition of the mother. The woman is the root of humanity. If that root is rendered corrupt, the whole fabric of society becomes polluted. Liberty cannot live in an atmosphere of moral death.

These elementary truths of human nature have been the basis of all legislation that has had civil freedom in view. Freemen in every age of the world have founded their laws on this idea of true marriage. Lawgivers of every language that has had “Republic,” or its equivalent of free institutions to express, have united in guarding the right of the woman to her own husband — to his name, care,

protection, and love, without rival in the home where the children of this sacred union were to be reared as citizens of free States. Jew, Greek, Roman, Goth, Italian, Swiss—none have allowed polygamy to be established or recognized by their laws, civil or sacerdotal. It has been an offence against law, if not always punished by law. Such transgressions always indicate corruption of political as well as of moral virtue.

Search out the cause of the decay of every perished Republic, and you will find it was *licentiousness*, or the desecration of the primal law of marriage, which was the canker-worm at the root of the sacred tree of liberty, causing its fall, and thus crushing out the life of free institutions by destroying the fundamental basis on which civil freedom must rest, to wit, justice and purity in the marriage relation.

Polygamy leads to the concentration of power and privilege in the hands of the few, and is thus the cause and instrument of tyranny. If one man be permitted to have four wives, three other men in the world are deprived of their natural rights to one wife each. The man with four wives must have means of supporting them; he must monopolize power, property, and privilege; while the man not permitted to marry one wife is deprived of other rights and reduced to an inferior position. He is not a *man*; he is only a soldier, sailor, servant, eunuch!

The tendency of monarchical governments to centralize power and accumulate privileges in the hands of a class or caste is well known to you. Under every such Government in Christian Europe large classes of men are deprived of the means and opportunities which would allow them to marry and rear, each one, his own family. The evil effects of this unnatural condition are obvious on the moral character of both men and women, as well as on their material improvement. Yet they do make progress; but wherever polygamy is established, there the tyranny is complete; we can have no hope for that race — except the forlorn hope that the institution may be overthrown, or the men, who sustain it, destroyed.

Thus it becomes self-evident that Republican institutions, and the system of a plurality of wives, now allowed in Utah, cannot exist together.

Here, then, that important clause in the *Constitution*, (see Article iv., Section iv.,) which solemnly guarantees to “every State in the Union a Republican form of Government,” becomes imperative and can be safely acted upon.

The guarantee will surely be broken if polygamy be permitted in any State or Territory, because the woman — a free citizen — is thereby made a slave, subjected to the lust and will of the man in this false marriage, without that check which the law of nature and the law of political equality alike

demand, and which is as essential to the safety of civil freedom as it is to the safety, honor, and happiness of woman.

I need not dwell longer on this point. There are eminent men in Congress who, I feel sure, will take up and argue this subject with the persuasive eloquence which truth and justice lend to questions of the highest moral interest. It may be safely asserted, that there never was a question before an American Congress so fraught with consequences for good or for evil to our whole nation as this.

The struggle against Mormonism, and its monstrous falsities, is rendered more arduous and critical by the insidious craft it uses to conceal its frauds on its foreign victims, who are lured to this land by its specious promises of freedom. When they reach Salt Lake City, and are there subjected to a tyranny that has no parallel in a civilized country, they seem powerless to resist the evil. To expose these falsities, and clear our institutions from such polluting stain as the presence of polygamy would leave on our land, will afford ample opportunities for the noblest display of manly eloquence. You will be Paladins, battling against the fiercest foes of Woman; Patriots, upholding the dearest rights of Freedom; Christians, advocating the holiest duties of Humanity.

But there is another aspect of this Mormon question: its bearing on religious liberty, which

the Constitution expressly guarantees to every citizen.

It is urged by some able writers, who are no advocates of the system of Joe Smith, but exceedingly jealous concerning religious liberty, that, as the polygamy of the Mormons is a religious, and not a civil institution, therefore the authority of Congress cannot reach it. — Let us examine this proposition.

Was it the intention of those who framed the Constitution, or of those who proposed the article securing “the free exercise of religion” to all citizens of the United States, that under the sanction of this liberty of religion, usages and modes of conduct should be established, by any society or sect, subversive of public morals? Would the plea of “free exercise of religion” sustain a sect who made *stealing* a religious duty, when, like the Spartans, they could do it undetected? or who should establish the “suttee,” or practice the destruction of feeble, sickly children?

The great majority of people in the United States are believers in Christianity, who take the Bible as their Holy Book.

If it should be settled that, under the pretense or even belief in a new revelation, an association of men are entitled to their civil rights as citizens, while committing acts that all Christians hold to be sin, and that the laws of the thirty-seven States, and of every other Christian country, punish as crimes,

would not the rights and liberties of the majority be sacrificed to those of the minority?

Would not the very foundations of our popular institutions be in jeopardy, if a State, with such a system of religious government as Utah is now cursed with, should be admitted into the Union? Let one such *hierarchy*, for so it really is, be legalized as a Sovereign State, would not the lives and liberties of the citizens of all the other States, unless they conformed to the ruling "political religionism," as Dugald Stewart significantly terms these amalgamations of sacred and secular institutions, be put at hazard?

And then all other monstrous phases of sin and crime would find an open door, if they put on the thin disguise of religious forms. It is on record that, about the year 130 of our era, soon after the death of the last apostle, St. John, a sect arose in Judea calling themselves *Cainites*, because they professed to esteem Cain worthy of the greatest honors. They honored those who carry in Scripture the most visible marks of reprobation; as the inhabitants of Sodom, Esau, Korah, etc. They had, in particular, great veneration for Judas Iscariot, under the pretense that the death of Christ had saved mankind. (See *Buck's Theological Dictionary*.)

Now, were a sect holding these *Cainite* tenets to arise in our Republic, while only *professing* their creed, they would not be amenable to the laws;

but should they attempt, either individually or collectively, to imitate the evil examples which they revered, under the plea of "religious liberty," would they not be held criminal by the laws of each and all the States where they put their theory into action? And if a State or Territory should permit such a creed as *Cainism* to predominate and establish its priesthood in civil power, to the detriment of other forms of religious and political liberty, would it not be the duty of Congress to put down this unlawful combination of *Cainites* for their crimes against those popular rights of "life, liberty, and the pursuit of happiness," which are equally guaranteed to all free citizens of the United States?

To judge accurately between good and evil in social life is sometimes difficult, because of the mingled nature of human influences and actions; sometimes the evil may seem good and sometimes produce good by suppressing greater evil. Thus, war is of itself a great evil; yet it may do much good by overthrowing the wrong and advancing the right, and be the only available human means of preventing far worse evils than war.

The evil that is everywhere in this world mingled with the good, is the result of the nature of fallen humanity, and is unlike the overt act of sin that marks the criminal who disobeys the laws of God. Such disobedience can never, under any circumstances, do good to mankind. It is the glory of our

free institutions that they accord, in their general principles of justice and equity, with the standard of the Divine Word; that those actions which the Moral Law forbids as sins are criminal under our codes, and that the Brotherhood of the Gospel and the freedom of individual opinion and conscience are here secured, as Christ taught His disciples to be free.

And Christ taught also another lesson that we ought, nationally as well as individually, to heed. He taught the danger of transgressing or setting aside any one principle of eternal justice and right; that the man who disobeyed one commandment was guilty of disobedience to all. This is sound philosophical and legal as well as religious truth. The man who purposes to murder or steal will also bear false witness, covet, and, in short, transgress every law, Divine and human, that stands in his way, either to prevent his sin or to punish the overt crime.

Does not this exposition picture Mormonism, as it has been developed in every place where its standard has been set up? Its leaders, having defied the laws of God and of all the States of the Union, by establishing polygamy, are prepared to sustain their unjust and iniquitous institutions by the overthrow of the laws of the General Government, and the Government also, if that were possible.

But these outrages against law will be punished

and the Mormons reduced to submission; yet no permanent security or advantage will be thereby gained, unless polygamy is abolished. The Country looks to Congress for the redress of this great wrong on our Republican institutions. If full powers are not vested in the Government, then let an AMENDMENT TO THE CONSTITUTION be forthwith submitted to the People.

The justice of the measure cannot be questioned. A wife has no separate vote at the polls; she is represented by her husband, because the Christian bond of marriage makes the twain *one* in interest, in station, and in the social and legal relations of life. Deprived of this holy safeguard of her rights, civil and religious, there is no barrier between woman and the most crushing despotism which the selfish power and brutal passions of man may choose to wield over her.

Shall the daughters of America, the pride of our country, of whom we boast as excelling in feminine purity and loveliness of character as well as in personal beauty, shall these, the "polished stones" of our social and political fabric, be subjected to the possibility of such foul dishonor, such filthy debasement, as even the idea that polygamy is permitted under the Government of the United States would bring on the name of American Women?

The Christian people, the free, independent, self-governing people, who should submit to such op-

probrium, might well "say to corruption, thou art my father; and to the worm, thou art my mother and my sister." Would not even the crawling creature be disgraced by the comparison? The American people will never permit Mormonism to be licensed in the land of WASHINGTON.

Is it a vain boast to say, that the decision of Congress on this great question of true Marriage, will influence the character of Mankind? Are not the nations of the Old World looking to us for examples to guide their own forms of change, and their own efforts for development?

Let the decision go forth to uphold the Primal Law of Marriage in the homes of our own people, and thus fit all coming generations for self-government, and the blessings that follow the peaceful development of human power, would not our example give honor to woman and glory to man? Would not our form of Free Government be elevated in the eyes of all nations, and induce the most conservative to approve a system by which Liberty represses License, and Freedom and Purity go hand in hand?

To the Members of our American Congress the decision of this question, so important to us and to the world, is committed.

Remember that the laws of nature keep the sexes equal in numbers; therefore justice demands that the wife should have the right to her own husband

as surely secured, by the laws of man, as the right of the husband is secured to his own wife.

The duties of men and women are not identical, but relative; not co-incident, but co-equal. Man's great work is on the material universe; Woman moulds the nature of humanity. The Home of the family is the source of the State.

The foundation-stones of this Capitol of our country are not more needed for its magnificent and Heaven-aspiring DOME, than the PRIMAL LAW OF MARRIAGE is required for the support of our Republican Institutions. Should we weaken or withdraw the sacred influences of true Marriage, neither Ballot-box nor Sword could compel obedience to the laws of Righteousness required in the life of a Free and Sovereign Nation.

ONE OF THE PEOPLE,

Author of

"Opinions Concerning the Bible Law of Marriage."









